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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 TACOMA DIVISION

10 LEO RODNEY STROMER,

Civil No. 3:10-cv-05939-KLS

11 Plaintiff,

12 v.

ORDER OF REMAND AND JUDGMENT

13 MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

14 Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned
15 case be REVERSED and REMANDED for further administrative proceedings pursuant to
16 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will consider whether the
17 evidence is sufficient to issue a favorable decision by the Appeals Council.

18 If the Appeals Council determines that the evidence is not sufficient to issue a favorable
19 decision, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for
20 further consideration and development of the record and a new decision. On remand, the ALJ
21 will hold a *de novo* hearing and Plaintiff may raise any issue. The ALJ will: (1) evaluate all
22 medical source opinions, including those of Alex Ziga, M.D.; Margaret Miller, M.D.; and Kent
23 Caruso, Ph.D.; (2) reevaluate Plaintiff's impairments, including his mental impairments, and

1 assess whether they meet or equal a listing; (3) evaluate lay witness statements, including those
2 of Tonya Lynn Kutz and Linda Gee; (4) reevaluate Plaintiff's credibility and reassess his
3 residual functional capacity; and (5) continue with the sequential evaluation process, obtaining
4 supplemental vocational expert testimony if warranted by the expanded record, and, if
5 applicable, assessing the materiality of drug abuse or alcoholism.

6 Upon proper presentation, this Court will consider Plaintiff's application for costs and
7 attorney fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

8 JUDGMENT is entered for Plaintiff, and this case is closed.

9 DATED this 1st day of August, 2011.

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12 Karen L. Strombom
13 United States Magistrate Judge

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15 Presented by:

16 s/ Lisa Goldoftas
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